



DEPARTMENT OF ENVIRONMENTAL PROTECTION
Monthly Enforcement Report
for actions during September 2006
DISTRIBUTED: October 3, 2006

This report has been prepared to satisfy a statutory obligation DEP has to inform the public of certain enforcement resolutions. This report does not include summaries of the hundreds of compliance related activities occurring every month because it is impractical to capture a sampling of those activities that would be representative of that work. Please contact Peter Carney at (207) 287-4305 or Peter.J.Carney@Maine.gov for additional information regarding the activities listed in this report.

The following cases were resolved to achieve compliance with the law; remediate environmental damage; restore natural resources to appropriate conditions; impose and deter similar actions in the future.

Administrative Consent Agreements Approved by the Board of Environmental Protection and Department of the Attorney General (violation followed by location of violation):

Dragon Products Company, Inc., Thomaston, Maine. Dragon Products Company, Inc. ("Dragon") violated Maine's *Protection and Improvement of Air* law, Department air quality rules for *Source Surveillance*, and provisions of its air emission license. Dragon exceeded limits for excess continuous opacity monitor downtime, opacity from its Portland Cement Kiln System, opacity from its Clinker Cooler, and opacity from its Pre-grinding Mill. To resolve the violations, Dragon paid \$12,300.00 as a civil monetary penalty.

Dragon Products Company, Inc., Kennebunk, Maine. Dragon Products Company, Inc. ("Dragon") violated provisions of Maine's *Protection and Improvement of Waters* law. Dragon discharged pollutants to waters of the State by rinsing a cement truck chute and thereby discharging water and concrete onto the ground from where it flowed into a tidal tributary of the Mousam River, a class SB water. To resolve the violations, Dragon paid \$1,860.00 as a civil monetary penalty.

City of Calais, Calais, Maine. The City of Calais ("Calais") violated provisions of Maine's *Protection and Improvement of Waters* law and provisions of its waste discharge license. Calais failed to: at all times maintain in good working order and operate at maximum efficiency all waste water treatment and/or control facilities; failed to notify the Department of bypasses and instances of inability to comply with any license condition; failed to use appropriate sampling, preservation, handling, and analytical methods for the examination of waste water; failed to have required alternate power supplies for pumping stations and treatment facilities; failed to appropriately sample waste water for Total Suspended Solids and Biochemical Oxygen Demand; failed to appropriately monitor bypasses for effluent quality and failed to continuously monitor flow; discharged raw influent into the St. Croix River as the result of a faulty valve; allowed the unlicensed discharge of pollutants to waters of the State; failed to eliminate prohibited Combined Sewer Overflows (CSOs); failed to report wet weather related discharges from the CSOs; and, violated effluent limits for Total Suspended Solids, Settleable Solids, Biochemical Oxygen Demand, and Fecal Coliform. To resolve the violations, Calais agreed to complete and submit for Department review and approval a Wet Weather Management Plan to direct wastewater treatment plant staff in operation of the facility during times of high flow, submit for Department review and approval a CSO master plan which is to include a schedule for abating pump station and collection system bypasses, submit for Department review and approval plans to minimize all overflows from manholes and other drains and plans for a new bank outfall, submit for Department review and approval a schedule for completing, and a plan for financing, system improvements, complete replacement of the South Street pump station, complete restoration of the treatment plant CSO, and paid \$50,000.00 as a civil monetary penalty. Furthermore, the Agreement calls for a stipulated penalty of \$45,092.00 to be paid if Calais fails to comply with terms of the Agreement. Of the \$50,000.00 penalty, \$40,000.00 will be utilized to complete a Supplemental Environmental Project consisting of shoreline stabilization on the St. Croix River.